

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DIET DRUGS (PHENTERMINE/  
FENFLURAMINE/DEXFENFLURAMINE)  
PRODUCTS LIABILITY LITIGATION

MDL NO. 1203

THIS DOCUMENT RELATES TO:

ANTHONY SMITH, et al.

v.

AMERICAN HOME PRODUCTS  
CORPORATION, et al.

CIVIL ACTION NO. 04-20219

PRETRIAL ORDER NO. 8328

AND NOW, this 23<sup>rd</sup> day of October, 2009, for the  
reasons set forth in the accompanying Memorandum, it is hereby  
ORDERED that:

(1) the motion of Wyeth and Indevus Pharmaceuticals,  
Inc. for summary judgment is GRANTED; and

(2) judgment is entered in favor of Wyeth (formerly  
known as American Home Products Corporation) and Indevus  
Pharmaceuticals, Inc. and against Annie Mitchell and Debbie  
Easterly.

BY THE COURT:

  
C.J.